UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CASE NO. 07 Civ. 4113 (LLS)

CHINESE AUTOMOBILE DISTRIBUTORS OF AMERICA, LLC, a limited liability company, individually and, with respect to certain claims, in a derivative capacity,

Plaintiff,

v.

MALCOLM BRICKLIN, an individual; **JONATHAN BRICKLIN**, an individual; **BARBARA BRICKLIN JONAS**, an individual; **MICHAEL JONAS**, an individual; **SANIA TEYMENY**, an individual; **SCOTT GILDEA**, an individual; and **VISIONARY VEHICLES, LLC**, a limited liability company;

Defendants.

_______________________________________/

AFFIDAVIT OF BARBARA J. ENGELKE

BEFORE ME, personally appeared BARBARA J. ENGELKE, who after being duly sworn deposes and says the following:

1. My name is BARBARA J. ENGELKE I am competent to make this Affidavit..

2. I am a paralegal at Adorno & Yoss LLC and am the paralegal assigned to work on this case. The facts set forth in this Affidavit are based on my own personal knowledge.

3. On August 26, 2008, I was asked to view a January 24, 2006 video presentation titled "A Matter Centric Collaboration Case Study: McCarter & English," which was moderated by Kim Sanfanandre, an Application Manager at McCarter & English. The webcast is located at http://www.insight24.com/webcasts/content-92286_1 .

4. The slide presented at minute 2:16 of the webcast represents that, at the time of the collaboration in 2005, McCarter & English had 860 Users, 365 Attorneys, 16 Practice Groups and 7 Offices in Newark, New York, Philadelphia, Hartford, Stamford, Baltimore & Wilmington.

5. The webcast addresses how McCarter & English converted the firm's document management system from the "DOCS" to "WorkSite 8," the document management system offered by Matter Centric. The moderator, Ms. Sanfanandre, represented that the conversion was complete as of Labor Day, 2005.

6. The webcast detailed the benefits of the Worksite 8 as a tool to organize all of the law firm's document database for all of the attorneys into a single, central, easy to manage document retrieval system; thereby allowing any attorney at McCarter & English to access any document prepared by any other attorney.

7. The slide presented at minute 2:36 of the webcast notes that the WorkSite document management system at McCarter & English provides a "Centralized environment" and "1 [one] Database (clustered) server: single database."

8. The slide presented at minute 14.51 of the webcast represents that the WorkSite document management system at McCarter & English provides that an "entire file is available from any location."

9. The webcast portrayed the Worksite 8 document management system as an effective tool to centralize and organize all of the entire law firm's document database for all of the attorneys into a single, easy to manage document retrieval system, thereby allowing any attorney or staff member at McCarter & English to access any document prepared by any other attorney or other staff member.

Pursuant to 28 U.S.C. § 1274, I declare under penalty of perjury that the foregoing statements are true and correct.

FURTHER, Affiant sayeth not:

Signed on September 2, 2008

BARBARA J. ENGELKE

STATE OF FLORIDA)
ss
COUNTY OF PALM BEACH)

THIS AFFIDAVIT was acknowledged before me this 2nd day of September, 2008, by BARBARA J. ENGELKE, who is personally known to me and who did take an oath that the facts set forth in this Affidavit are true and correct to his own personal knowledge.

Nancy Denise Keyes
NOTARY PUBLIC

NANCY DENISE KEYES
MY COMMISSION # DD 410337
EXPIRES: April 4, 2009
Bonded Thru Notary Public Underwriters

Nancy Denise Keyes
PRINTED NAME OF NOTARY PUBLIC
COMMISSION EXPIRES: 4/4/09

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